

RECEIVED  
CENTRAL FAX CENTER

DEC 22 2005

## Moore, Hansen & Sumner

225 South Sixth Street  
Suite 4850  
Minneapolis, Minnesota 55402  
(612) 332-8200  
Fax (612) 332-1780

Date: December 22, 2005

### FACSIMILE TRANSMISSION SHEET

**To:** General Information/Receptionist  
Art Unit: 3635  
United States Patent and Trademark Office

**Fax. No.:** 571-273-8300

**From:** James R. Hakomaki  
Application No.: 10/688,239

**Re:** Title: MASONRY BRICK  
Inventor: Raymond R. Price  
Our Docket No. A45-015-01-US

**No. of Pages** 11 (including this cover sheet)

**Operator:** Barbara Salchow

**Message:** PETITION TO WITHDRAW HOLDING OF ABANDONMENT

IF YOU DID NOT RECEIVE ALL THE PAGES OR IF ANY OF THESE PAGES ARE NOT LEGIBLE, PLEASE CONTACT OPERATOR AS SOON AS POSSIBLE.

OUR FAX NO.: (612) 332-1780

OUR PHONE: (612) 332-8200

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE UNITED STATES POSTAL SERVICE. THANK YOU.

100 Years of excellence in intellectual property law  
A Professional Limited Liability Partnership

RECEIVED  
CENTRAL FAX CENTER

DEC 22 2005

PTO/SB/21 (09-04)

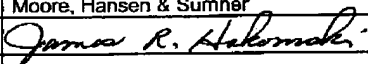
Approved for use through 07/31/2006. OMB 0651-0031

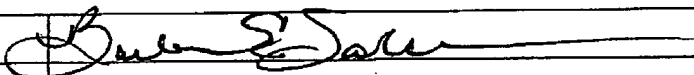
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paper Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/688,239
	Filing Date	October 17, 2003
	First Named Inventor	Raymond R. Price
	Art Unit	3635
	Examiner Name	C. Nguyen
Total Number of Pages in This Submission	Attorney Docket Number	A45-015-01-US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance communication to (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Moore, Hansen & Sumner		
Signature			
Printed name	James R. Hakomaki		
Date	December 21, 2005	Reg. No.	35,037

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Barbara E. Salchow	Date	December 21, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

In you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED  
CENTRAL FAX CENTER

DEC 22 2005

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Raymond R. Price  
App. No.: 10/688,239  
Filed: October 13, 2003  
Title: MASONRY BRICK  
Art Unit: 3635  
Examiner: C. Nguyen

Confirmation No.: 2470

Docket No.: A45-015-01-US  
Customer No: 22,854

Mail Stop: Amendment  
Commissioner for Patents  
Alexandria, V.A. 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT  
UNDER 37 C.F.R. § 1.181

Dear Sir:

Applicant hereby petitions for withdrawal of the Holding of Abandonment of the above-identified application.

Applicant has been notified that the above-identified application has become abandoned by reason of failure to timely reply to the Office Action.

## CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

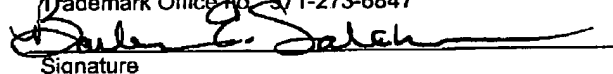
## MAILING

\_\_\_\_\_ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop 16, Director of the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450

Date: \_\_\_\_\_

## FACSIMILE

☒ transmitted by facsimile to the Patent and Trademark Office no. 571-273-6847

  
Signature

Barbara E. Salchow

(type or print name of person certifying)

Date: 12/21/05

*Petition to Withdraw Holding of Abandonment*  
*Application No. 10/688,239*  
*Filing Date: October 17, 2003*  
*Inventor: Raymond R. Price*

In the Notice of Abandonment, the Examiner ~~has indicated that the~~ Office Action was mailed on May 31, 2005. This is incorrect. The mailing date of the Office Action was **June 9, 2005** (see attached copies of the PTO-90C that accompanied the first Office Action, and the PAIR file history printout for the above-identified application). The earliest date that the above-identified application could have been considered abandoned would have been December 10, 2005.

Contrary to the Patent Office's assertion, Applicant did timely file a response (see copies of the PTO/SB/21 Transmittal Form; the PTO/SB/22 Petition for Extension of time; the Return Receipt Postcard; and, the first and last pages of the Amendment and Response, all of which have a date of **December 9, 2005**. Note the certificate of mailing on the Transmittal Form and on the Amendment and Response.

Based on the above-presented facts, Applicant submits that no abandonment has occurred. Accordingly, Applicant respectfully requests withdrawal of the holding of abandonment and that the Amendment and Response of December 9, 2005 be entered and that the application be forwarded on to the Examiner in charge of the application.

Please charge any deficiencies, additional fees or surcharges necessary to the Deposit Account of the undersigned firm of attorneys, Deposit Account 13-4300, and credit overpayment thereto. Grant of this petition is respectfully requested.

Respectfully submitted,  
For the Applicant(s)  
By his/her/their Attorneys,

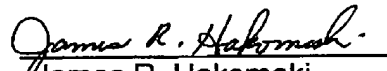
Customer Number:

**22854**

MOORE, HANSEN & SUMNER, PLLP  
225 South Sixth Street  
Suite 4850  
Minneapolis, Minnesota 55402  
Telephone: (612) 332-8200  
Facsimile: (612) 332-1780

Date December 21, 2005

By:

  
James R. Hakomaki  
Reg. No. 35,037



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,239	10/17/2003	Reymond R. Price	A45-015-01-US	2470

22854 7590 06/09/2005

MOORE, HANSEN & SUMNER, PLLP  
225 SOUTH SIXTH ST  
MINNEAPOLIS, MN 55402

EXAMINER

NGUYEN, CHI Q

ART UNIT PAPER NUMBER

3635

DATE MAILED: 06/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

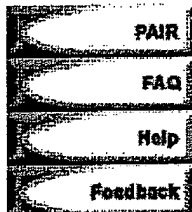
C  
JUN 13 2005



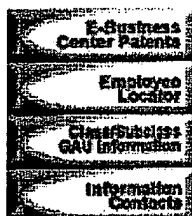
United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

## PATENT APPLICATION INFORMATION RETRIEVAL



## Other Links



Printer Friendly Version

Search results as of: 12-20-2005::15:58:12 E.T.

## Search results for application number: 10/688,239

Application Number:	10/688,239	Customer Number:	22854
Filing or 371(c) Date:	10-17-2003	Status:	Abandoned – Failure to Respond to an Office Action
Application Type:	Utility	Status Date:	12-12-2005
Examiner Name:	NGUYEN, CHI Q	Location:	ELECTRONIC
Group Art Unit:	3635	Location Date:	-
Confirmation Number:	2470	Earliest Publication No:	US 2005-0081469 A1
Attorney Docket Number:	A45-015-01-US	Earliest Publication Date:	04-21-2005
Class/ Sub-Class:	052/596	Patent Number:	-
First Named Inventor:	Reymond Price, Rochester, MN	Issue Date of Patent:	-
Title Of Invention:	Masonry brick		

Select Search Option

Assignments  
Continuity Data  
Display References  
Image File Wrapper

Search

## File History

Date	Contents Description
12-16-2005	Mail Abandonment for Failure to Respond to Office Action
12-12-2005	Abandonment for Failure to Respond to Office Action
06-09-2005	Mail Non-Final Rejection
05-31-2005	Non-Final Rejection
06-08-2004	Case Docketed to Examiner in GAU
03-30-2004	IFW TSS Processing by Tech Center Complete
03-30-2004	Case Docketed to Examiner in GAU
01-26-2004	Information Disclosure Statement (IDS) Filed
01-23-2004	Application Return from OIPE
01-23-2004	Application Return TO OIPE
01-23-2004	Application Dispatched from OIPE
01-26-2004	Application Is Now Complete
01-13-2004	Cleared by OIPE CSR
12-18-2003	IFW Scan & PACR Auto Security Review
10-17-2003	Initial Exam Team nn

[\[.HOME\]](#) | [INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)

BEST AVAILABLE COPY